

RECEIVED
CENTRAL FAX CENTER

Attorney Ref.: PQ12931

DEC 19 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): LITTLE	Art Unit:
Application No.: 10/659,049	2644
Filed: 9/10/2003	Examiner:
Title: A METHOD OF MODIFYING LOW FREQUENCY COMPONENTS OF A DIGITAL AUDIO SIGNAL	Daniel R. Sellers

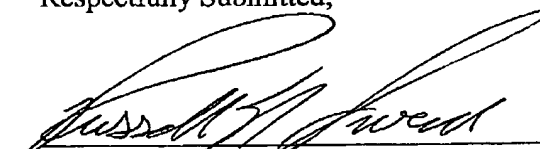
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY

Dear Sir:

We respectfully petition for revival of this application and herein state that the abandonment was due to unintentional delay. We hereby authorize a charge in the amount of \$1500.00 to our Deposit Account Number 503302 for payment of the petition fee. Any extension of time necessary to prevent abandonment is requested and any additional fee necessary for consideration of this paper is authorized to be charged to Deposit Account Number 503302.

Respectfully Submitted,

Date: 12.19.06
Russell N. Swerdon, Reg. No. 36943

Creative Labs, Inc.
1901 McCarthy Boulevard
Milpitas, CA 95035
Tel. (408) 428-6600

**RECEIVED
CENTRAL FAX CENTER**

DEC 19 2006

PTO/SB/64 (07-05)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
PQ12931

First named inventor: LITTLE, Max Andrew

Application No.: 10/659,049

Art Unit: 2644

Filed: 9/10/2003

Examiner: Daniel R. Sellers

Title: A METHOD OF MODIFYING LOW FREQUENCY COMPONENTS OF A DIGITAL AUDIO SIGNAL

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of _____ (identify type of reply):

- ☐ has been filed previously on _____.
- ☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1700.00

- ☐ has been paid previously on _____
- ☒ is enclosed herewith.

12/20/2006 KGBREH1 00000070 503302 10059049

01 FC:1453

1500.00 DA

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64 (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

December 19, 2006

Date

Russell N. Swerdon

Typed or printed name

36943

Registration Number, if applicable

1901 McCarthy Boulevard

Address

(408) 428-6600

Telephone Number

Milpitas, CA 95035

Address

Enclosures:

☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

December 19, 2006

Date

SignatureLissa Oros

Typed or printed name of person signing certificate